

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

Applicants acknowledge with gratitude the indication that claims 5-18 contain allowable subject matter. However, for at least the reasons presented below, Applicants submit that all of the pending claims, as amended herein, are allowable.

The written description portion of the specification, claims 1-24, and the abstract of the disclosure have been amended. Claims 1-24 remain pending in the application. Claim 1 is independent. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The abstract has been editorially amended for conformance with 37 CFR § 1.72(b). The claims have been amended to overcome each of the grounds of rejection under 35 U.S.C. § 112, second paragraph, and in general, to more fully comply with U.S. practice. Entry of each of the amendments is respectfully requested.

35 U.S.C. § 102(b) - Simon

Claims 1, 3, 4, and 19-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,198,173 to Simon.

The rejection of claims 1, 3, 4, and 19-24 under § 102(b) based on Simon is respectfully traversed. For at least the following reasons, the disclosure of Simon does not anticipate Applicants' claimed invention.

Instant claim 1 defines a blister pack system that includes, *inter alia*, an ejection device with a first electrical contact element 24 at the top section and a second electrical contact element 30 at the peg section. These electrical contact elements are electrically connected with each other. As a result, it is possible to make an electrical connection between the contact element 30, which rests resiliently against the lower surface of the upper part 4 and which electrically contacts the common contact 18 on one side, and the individual contact surface 10 to 17 corresponding to the respective removal position and the contact element 24 at the other side. That is, in every removal position an individual connection is created for indicating this position between an individual contact surface 10 to 17 and the common strip conductor 18a.

Furthermore, each individual contact surface 10 to 17 is connected via an individual strip connector 10a to 17a to an individual contact surface 10b to 17b, which is connected via a

through-connection with individual contact surfaces 10b' to 17b' at the side of the annular common conductor 18.

Simon's receiving device is structurally different from Applicants' claimed blister pack system. See, e.g., Simon's Figures 6 and 7. Simon fails to teach each feature of Applicants' claimed invention. For example, Simon's ejection device has no electrical contact element at the top section of the ejection device. Accordingly, there is no electrical connection between the contact element of the top section and an electrical contact element at the other side of the ejection device, let alone any through-connections and corresponding connectors. In other words, Simon fails to teach that individual contact surfaces of the upper side of the upper part are connected via the ejection device to a common contact surface at the lower side of the upper part and via through-connections to individual contact surfaces at the lower side of the upper part.

Since Simon does not meet each feature of the claimed invention, Simon does not anticipate the invention defined by Applicants' claim 1. Claims 3, 4, and 19-24 are allowable because they depend from claim 1, and for the subject matter recited therein.

35 U.S.C. § 103(a) - Simon

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Simon.

The rejection of claim 2 under § 103(a) based on Simon is also respectfully traversed. Claim 2 depends from claim 1. Claim 1 is allowable over Simon for at least the reasons outlined above in response to the rejection under § 102(b). Claim 2 is allowable because it depends from claim 1, and for the subject matter recited therein.

Furthermore, there is simply no teaching in Simon that would have led one to modify the reference in a way that would produce the invention defined by any of Applicants' pending claims.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:  Reg. No. 34,378
Harvey B. Jacobson, Jr.
Reg. No. 20,851

400 Seventh Street, N. W.
Washington, D.C. 20004
Telephone: (202) 638-6666
Date: February 12, 2009